FILED: NEW YORK COUNTY CLERK 11/08/2019 09:29 AM

NYSCEF DOC. NO. 11 Case 1:20-cv-07311-LAK Document 14-11 Filed 09/15/20 Page 1 of 3
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EXHIBIT E

YORK COUNTY CLERK 11/08/2019 09:29 AM Case 1:20-cv-07311-LAK Document 14-11 Filed 09/15/20

Form 09 - AFFIDAVIT OF ATTEMPTED SERVICE



KAPLAN HECKER & FINK LLP

SUPREME COURT NEW YORK COUNTY STATE OF NEW YORK

E. JEAN CARROLL

PLAINTIFF

index No. 160694/2019

Date Filed

Office No.

Court Date.

- vs -

DONALD J. TRUMP, IN HIS PERSONAL CAPACITY

DEFENDANT

STATE OF NEW YORK, COUNTY OF NEW YORK

FREDDI SIMON being duly sworn, deposes and says; I am over 18 years of age, not a party to this action, and reside in the State of New York.

:SS:

11/06/2019, 10:20AM

deponent attempted to make personal service of a true copy of the NOTICE OF ELECTRONIC FILING. SUMMONS AND COMPLAINT in the above entitled action upon

DONALD J. TRUMP the DEFENDANT at

725 FIFTH AVENUE NEW YORK NY 10022

and was unable to do so.

AT THE TIME LISTED ABOVE, DEPONENT ATTEMPTED TO SERVE THE DEFENDANT, DONALD J. TRUMP, AT THE ADDRESS OF 725 FIFTH AVENUE, NEW YORK, NY 10022. DEPONENT WENT TO THE PROPERTY, WALKED INTO THE BUILDING AND PASSED THROUGH THE SECURITY CHECKPOINT THAT WAS BEING MANNED BY ARMED SECRET SERVICE. DEPONENT THEN WALKED TOWARDS THE CONCIERGE AND ATTEMPTED TO SERVE THE PAPERS. THE CONCIERGE LOOKED AT THE DOCUMENTS AND TOLD DEPONENT THAT NO ONE IS GOING TO ACCEPT THE PAPERS. CONCIERGE ALSO EXPLAINED THAT ANOTHER SERVER ATTEMPTED SERVICE ON MONDAY. DEPONENT ASKED, "WHAT WOULD HAPPEN IF I LEFT THE PAPERS ON THE PODIUM", AND CONCIERGE JUST NODDED AT DEPONENT WITH NO RESPONSE. DEPONENT ASKED AGAIN AND EMPHASIZED THE QUESTION. WHILE QUESTIONING, DEPONENT PROCEEDED TO LEAVE THE DOCUMENTS ON THE PODIUM AND BEGAN TO TAKE A FEW STEPS TOWARDS THE EXIT. DEPONENT THEN ASKED, "IF I WALK TOWARDS THE EXIT NOW WITHOUT THE PAPERS WOULD I BE STOPPED BY SECURITY?" THE CONCIERGE STATED YES, HE WOULD BE STOPPED BY SECURITY. ONCE DEPONENT RECEIVED A DEFINITIVE ANSWER, HE TOOK THE DOCUMENTS FROM THE PODIUM AND EXITED THE BUILDING.

Sworn to before me this 07TH day of NOVEMBER, 2019

MICHAEL ROTH

Notary Public, State of New York

No. 01RO6268665

Qualified in NEW YORK COUNTY Commission Expires 09/17/2020 FREDDI STMON 2066183

PM Legal, LLC 75 MAIDEN LANE 11TH FLOOR

NEW YORK, NY 10038

Reference No: 7-KHF-2562387

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11/06/2019, 10:20AM

deponent attempted to make personal service of a true copy of the ${\tt REQUEST}$ FOR JUDICIAL INTERVENTION, AFFIRMATION SUPPLEMENTING RJI in the above entitled action upon DONALD J. TRUMP the DEFENDANT at 725 FIFTH AVENUE

NEW YORK NY 10022

and was unable to do so.

AT THE TIME LISTED ABOVE, DEPONENT ATTEMPTED TO SERVE THE DEFENDANT, DONALD J. TRUMP, AT THE ADDRESS OF 725 FIFTH AVENUE, NEW YORK, NY 10022. DEPONENT WENT TO THE PROPERTY, WALKED INTO THE BUILDING AND PASSED THROUGH THE SECURITY CHECKPOINT THAT WAS BEING MANNED BY ARMED SECRET SERVICE. DEPONENT THEN WALKED TOWARDS THE CONCIERGE AND ATTEMPTED TO SERVE THE PAPERS. THE CONCIERGE LOOKED AT THE DOCUMENTS AND TOLD DEPONENT THAT NO ONE IS GOING TO ACCEPT THE PAPERS. CONCIERGE ALSO EXPLAINED THAT ANOTHER SERVER ATTEMPTED SERVICE ON MONDAY. DEPONENT ASKED, "WHAT WOULD HAPPEN IF I LEFT THE PAPERS ON THE PODIUM", AND CONCIERGE JUST NODDED AT DEPONENT WITH NO RESPONSE. DEPONENT ASKED AGAIN AND EMPHASIZED THE QUESTION. WHILE QUESTIONING, DEPONENT PROCEEDED TO LEAVE THE DOCUMENTS ON THE PODIUM AND BEGAN TO TAKE A FEW STEPS TOWARDS THE EXIT. DEPONENT THEN ASKED, "IF I WALK TOWARDS THE EXIT NOW WITHOUT THE PAPERS WOULD I BE STOPPED BY SECURITY?" THE CONCIERGE STATED YES, HE WOULD BE STOPPED BY SECURITY. ONCE DEPONENT RECEIVED A DEFINITIVE ANSWER, HE TOOK THE DOCUMENTS FROM THE PODIUM AND EXITED THE BUILDING.

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PM Legal, LLC 75 MAIDEN LANE 11TH FLOOR

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Reference No: 7-KHF-2562411

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